

## Message Text

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ORIGIN EB-07

INFO OCT-01 AF-08 EUR-12 ISO-00 CIEP-01 COME-00 TRSE-00

AID-05 CEA-01 CIAE-00 EA-07 FRB-03 INR-07 IO-13

NEA-10 NSAE-00 OPIC-03 SP-02 LAB-04 SIL-01 OMB-01

XMB-02 STR-04 OIC-02 L-03 INRE-00 NSCE-00 SSO-00

USIE-00 /097 R

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FM SECSTATE WASHDC

TO USMISSION OECD PARIS IMMEDIATE

AMEMBASSY NAIROBI IMMEDIATE

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NAIROBI PASS BOEKER AND BOND

E.O. 11652: N/A

TAGS: EINV, OECD

SUBJECT: OECD COMMITTEE ON INTERNATIONAL INVESTMENT AND  
MULTINATIONAL ENTERPRISES, MAY 20 MEETING

REFS: OECD PARIS (A) 14450 (B) 14620 (C) 14118

1. FOLLOWING COMMENTS REGARDING REFTELS PROVIDED IN  
CONNECTION MAY 20 CIME MEETING.

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2. SWEDISH PROPOSAL REF (B) RAISES TWO ISSUES: (A) BROADENING OF THE REVIEW TO INCLUDE NOT ONLY THE DECISION, BUT ALSO THE GUIDELINES THEMSELVES; (B) AGREEMENT NOW THAT THE INVESTMENT PACKAGE IS LESS THAN PERFECT, AND THAT REVISION WILL BE DESIRABLE TWO YEARS HENCE. WITH REGARD ISSUE (A), PRESENT PARA 5 OF DECISION RELATING TO GUIDELINES COMMITS CIME ONLY TO REVIEW DECISION, I.E. THE PROCEDURES. ON THE OTHER HAND, PARAS 1-4 OF DECISION CONTAIN BROAD MANDATE FOR CONSULTATIONS REGARDING MATTERS RELATING TO GUIDELINES. WE THEREFORE CONSIDER IT UNNECESSARY TO REFER TO GUIDELINES THEMSELVES IN PARA 5.

3. WITH REGARD ISSUE (B), WE BELIEVE THAT OECD WORK ON INVESTMENT AND MNE ISSUES SHOULD BE A CONTINUING PROCESS

WHICH MAY LEAD TO FUTURE ARRANGEMENTS OR AGREEMENTS ON THESE MATTERS--AS ALREADY REFLECTED IN THE DECLARATION.

BUT WE HAVE NEVER AGREED THAT ANY PART OF THE PACKAGE WOULD BE EVOLUTIONARY. OF COURSE, WE WOULD NOT WANT TO EXCLUDE POSSIBILITY OF FUTURE DECISION BY CIME TO RENEGOTIATE OR QUOTE IMPROVE UNQUOTE IT. HOWEVER, WE DO NOT NOW ANTICIPATE THE NEED FOR SUCH A STEP AND THEREFORE DO NOT FAVOR UNDERTAKING COMMITMENT OF KIND PROPOSED BY SWEDEN.

4. WITH REGARD QUESTION RAISED AT XCSS OF FOOTNOTED QUOTE EXEMPTION UNQUOTE OR EXCEPTION FOR CANADA IN DECLARATION (SEE REF (A)), WE WOULD POINT OUT THAT SUCH PROCEDURE MIGHT OPEN FLOODGATES FOR EXCEPTIONS BY OTHER COUNTRIES AS WELL, AN OUTCOME WHICH WE HAVE FOUGHT MIGHTILY TO AVOID THROUGHOUT CIME NEGOTIATIONS. IT STILL IS UNCLEAR WHETHER THE CANADIANS MAY NOT FINALLY RESOLVE EITHER TO SIGN ON TO THE DECLARATION OR TO ABSTAIN GRACEFULLY. IT SHOULD ALSO BE NOTED THAT OECD SECRETARIAT LEGAL COMMENTS ON EXCEPTIONS, RESERVATIONS, ETC. (REF (C)) GIVE LITTLE SUPPORT TO CONCEPT OF PARTIAL RESERVATION IN FOOTNOTE TO DECLARATION. IT THEREFORE APPEARS UNDESIRABLE TO CEDE TO CANADIANS ON THIS POINT AT MAY 20 MEETING AND WE SHOULD CONTINUE TO LIMITED OFFICIAL USE

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SEEK ALTERNATIVE SOLUTION TO CANADIAN PROBLEM IN COMING WEEKS. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**To:** OECD PARIS NAIROBI  
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